

**UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE**

<b>LENNARD BABB,</b>	)	
	)	
<b>PETITIONER</b>	)	
	)	
<b>v.</b>	)	<b>CRIMINAL No. 07-89-P-H</b>
	)	
<b>UNITED STATES OF AMERICA,</b>	)	
	)	
<b>RESPONDENT</b>	)	

**ORDER ON DEFENDANT’S MOTION TO REDUCE SENTENCE**

The defendant’s motion to reduce sentence is **DENIED**. I have no authority to reduce the sentence that I imposed in 2008. At this date, the new crack cocaine Guidelines adopted in 2010 have not been made retroactive to offenders previously sentenced. If the United States Sentencing Commission should determine ultimately to make them retroactive, then the defendant could seek relief under 18 U.S.C. § 3582(c)(2).

**SO ORDERED.**

**DATED THIS 28TH DAY OF FEBRUARY, 2011**

/s/D. BROCK HORNBY  
**D. BROCK HORNBY**  
**UNITED STATES DISTRICT JUDGE**